

## Record of individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Decision made by</b>	Councillor Maggie Filipova-Rivers - Cabinet member for community wellbeing
<b>Key decision?</b>	No
<b>Date of decision</b> (same as date form signed)	11 November 2022
<b>Name and job title of officer requesting the decision</b>	Ben Whaymand, Leisure Facilities Team Leader
<b>Officer contact details</b>	Tel: 01235 422 202 Email: <a href="mailto:ben.whaymand@southandvale.gov.uk">ben.whaymand@southandvale.gov.uk</a>
<b>Decision</b>	<p>To approve keeping the overall performance report score as 'Good' for 1 April 2019 to 31 March 2020 whilst recognising that the final performance quarter January – March 2020 was compromised by the pandemic and restrictions enforced by Government.</p> <p>To approve a final assessment of '<b>Not Scored</b>' for Greenwich Leisure Limited (GLL) performance in delivering the leisure management contract for South Oxfordshire District Council during the periods, 1 April 2020 to 31 March 2021, and 1 April 2021 to 31 March 2022.</p>
<b>Reasons for decision</b>	<p>Officers have assessed the contractor's overall performance measured against key performance targets, customer satisfaction and client satisfaction.</p> <p>This decision follows the comments made at the Joint Scrutiny Committee held on Thursday 20 October 2022 where the committee considered the Head of Development and Corporate Landlord annual performance review report of the leisure management contractor GLL, period 1 April 2019 to 31 March 2020, 1 April 2020 to 31 March 2021, and 1 April 2021 to 31 March 2022. This information is correct at the time of the review.</p> <p>The Joint Scrutiny Committee resolved to endorse the Cabinet Member Maggie Filipova-Rivers in the presence of Councillor Emily Smith Leader of Vale of White Horse District</p>

	<p>Council as joint representatives the recommendation that the category '<b>Not Scored</b>' be agreed for the years 1 April 2020 to 31 March 2021, and 1 April 2021 to 31 March 2022 due to the circumstances surrounding Covid-19 throughout the three performance years presented and the ability to fairly mark under all three Dimensions due to the pandemic situation.</p> <p>In response to members' questions, the committee was informed that:</p> <ul style="list-style-type: none"> <li>• Page 98 - As part of the utility consumption under KPT11 and KPT12 consideration has been to report in future years direct kWh consumption in line with the Climate Emergency Plan data for leisure centre, and to report as overall kWh. This being due to electricity consumption increases with Air Source Heat Pumps replacing gas boilers as part of decarbonising leisure facilities. Bringing both Electricity and Gas consumption together will allow a far view on reduced consumption.</li> <li>• Page 48 - Action taken with Concessionary Membership since Covid-19. GLL are working with Active Oxfordshire on the 'You Move' project. Increasing the use of the concessionary card through joining inactive members.</li> <li>• Page 85 - Compliance with councils' corporate identity as part of the Dimension 3 was addressed and explained around the use of the council's logos in marketing material, PR and website detail.</li> <li>• Explanation provided on the inability to use the Participation Team to scores as part of the Officers view on Dimension 3 due to GLL staff related to sports development delivery being on furlough and centre programme being restrictive due to distancing measures enforced by the Government.</li> <li>• IT booking system went through a stage of change due to GLL changing companies to improve the performance of its online bookings to customers.</li> </ul>
<p><b>Alternative options rejected</b></p>	<p>The performance review allows for an assessment of performance ranging from poor to excellent by three dimensions.</p> <ol style="list-style-type: none"> <li>1. Performance measured against key performance targets (KPTs)</li> <li>2. Customer satisfaction with the total service experience</li> <li>3. Council satisfaction as client.</li> </ol> <p>The figures are agreed with the Partnership Managers in GLL as appropriate, and data is inputted quarterly and discussed monthly with the Leisure Facilities Team Leader.</p>

<b>Climate and ecological implications</b>	None			
<b>Legal implications</b>	None			
<b>Financial implications</b>	None			
<b>Other implications</b>	None			
<b>Background papers considered</b>	GLL Scrutiny Performance Report: 1 April 2019 to 31 March 2020 1 April 2020 to 31 March 2021 1 April 2021 to 31 March 2022  All three reporting years were taken to Joint Scrutiny Committee on Thursday 20 October 2022.			
<b>Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?</b>	None			
<b>List consultees</b>		<b>Name</b>	<b>Outcome</b>	<b>Date</b>
	Communications	Charlotte Westgate	Approved	02.11.22
	Senior Management Team	SMT AD amend kWh	Approved	09.11.22
<b>Confidential decision?</b> If so, under which exempt category?	No			
<b>Call-in waived by Scrutiny Committee chairman?</b>	No			
<b>Has this been discussed by Cabinet members?</b>	Yes			
<b>Cabinet portfolio holder's signature</b> To confirm the decision as set out in this notice.	Signature _____ Maggie Filipova-Rivers via email  Date _____ 11.11.22			

**ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.**

For Democratic Services office use only		
Form received	Date: 11 November 2022	Time: 10:46
Date published to all councillors	Date: 11 November 2022	
Call-in deadline	Not applicable as this is not a key decision.	

## Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off, including the chief executive. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must hand-sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence.  
Tel. 01235 422520 or extension 2520.  
Email: [democratic.services@southandvale.gov.uk](mailto:democratic.services@southandvale.gov.uk)
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days) if it is a 'key' decision (see the definition of a 'key' decision below). A key decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing a key decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If a key decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
  - refer the decision back to the Cabinet portfolio holder for reconsideration or
  - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
  - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.

## Key decisions: assessing whether a decision should be classified as 'key'

The South Oxfordshire and Vale of White Horse District Councils' Constitutions now have the same definition of a key decision:

**A key decision is a decision of the Cabinet, an individual Cabinet member, or an officer acting under delegated powers, which is likely:**

- (a) to incur expenditure, make savings or to receive income of more than £75,000;**

- (b) to award a revenue or capital grant of over £25,000; or**
- (c) to agree an action that, in the view of the chief executive or relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.**

Key decisions are subject to the scrutiny call-in procedure; non-key decisions are not and can be implemented immediately.

In assessing whether a decision should be classified as 'key', you should consider:

- (a) Will the expenditure, savings or income total more than £75,000 across all financial years?
- (b) Will the grant award to one person or organisation be more than £25,000 across all financial years?
- (c) Does the decision impact on more than one district council ward? And if so, is the impact significant? If residents or property affected by the decision is in one ward but is close to the border of an adjacent ward, it may have a significant impact on that second ward, e.g. through additional traffic, noise, light pollution, odour. Examples of significant impacts on two or more wards are:
  - Decisions to spend Didcot Garden Town funds (significant impact on more than one ward)
  - Changes to the household waste collection policy (affects all households in the district)
  - Reviewing a housing strategy (could have a significant impact on residents in many wards)
  - Adopting a supplementary planning document for a redevelopment site (could significantly affect more than one ward) or a new design guide (affects all wards)
  - Decisions to build new or improve existing leisure facilities (used by residents of more than one ward)

**The overriding principle is that before 'key' decisions are made, they must be published in the Cabinet Work Programme for 28 calendar days. Classifying a decision as non-key when it should be a key decision could expose the decision to challenge and delay its implementation.**